

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:18-cv-00096-MR-WCM**

BRIAN HOGAN, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	<u>ORDER</u>
)	
CHEROKEE COUNTY, et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on Defendants’ “Motion to Strike Class Allegations” [Doc. 52].

On October 15, 2020, the Defendants filed a Motion to Strike the Class allegations in this case. [Doc. 52]. On October 15, 2020, the Parties also filed a Stipulation of Withdrawal of Request to Serve as a Class Representative (the “Stipulation”) in this case. [Doc. 58]. Counsel for all of the parties signed the Stipulation. [Id.].

Federal Rule of Civil Procedure 41(a)(1)(A)(ii) allows a plaintiff to dismiss a cause of action without a court order by filing “a stipulation of dismissal signed by all parties who have appeared.” By filing the Stipulation

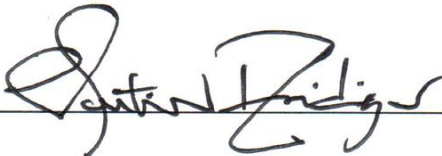
the class allegations contained in this case are dismissed. The Defendants' Motion to Strike is, therefore, now moot.

ORDER

IT IS, THEREFORE, ORDERED, the Defendants' Motion to Strike Class Allegations [Doc. 52] is **DENIED AS MOOT.**

IT IS SO ORDERED.

Signed: November 23, 2020



Martin Reidinger
Chief United States District Judge

